

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

TR  
A  
FILED  
2002 SEP 26 AM 9:36  
U.S. BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

IN RE: ) Bankruptcy No. 00-00738-W  
 ) Chapter 13  
Michael W. Garner )  
Debra J. Garner )  
 ) Notice and Application For Sale of  
 ) Property Free and Clear of Liens  
 )  
Debtors. )  
 )

YOU ARE HEREBY NOTIFIED that the debtor is applying for approval to sell the property of the debtor's estate described below free and clear of all liens and encumbrances according to the terms and condition stated below.

TAKE FURTHER NOTICE that any response, return and/or objection to this application, should be filed with the clerk of the Bankruptcy Court no later than twenty days from service of motion/application and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this application unless a response, return and/or objection is timely filed and served, in which case, the court will conduct a hearing on October 29, 2002 at 9:00 a.m. at United States Bankruptcy Court, 1100 Laurel Street, Columbia, South Carolina. No further notice of this hearing will be given.

TYPE OF SALE: Private.

PROPERTY TO BE SOLD: 1.67 acres with a 1995 Redman New Moon Mobile Home located at 113 Chelsea Road, Gilbert, SC 29054, Lexington County.

PRICE: Gross sales price is \$31,000.00 with \$500.00 paid upon signing contract on July 30, 2002 and \$30,500.00 to be paid upon the court's approval of this application.

ESTIMATED VALUE: \$31,000.00.

BUYER: Robert Richardson, 322 Catawba Court., Lexington, SC 29072.

40/41

No relationship to debtors.

SALES AGENT: For Sale By Owners, Michael W. and Debra J. Garner,  
113 Chelsea Road., Gilbert, SC 29054.

COMPENSATION TO SALES AGENT: None.

ESTIMATED TRUSTEE'S COMPENSATION: None.

LIENS/MORTGAGES/SECURITY INTERESTS ENCUMBERING PROPERTY:

CONSECO FINANCE SERVICING CORPORATION (mobile home) to be  
satisfied by distribution from Trustee in approximate amount  
of \$17,000.00.

Indigo Associates (installment contract to purchase land)  
to be satisfied from sales proceeds in approximate amount of  
\$4,000.00

DEBTORS' ATTORNEY: \$300.00, for his services regarding this  
application and proceedings thereon.

DEBTOR'S EXEMPTION: \$10,000.00.

PROCEEDS ESTIMATED TO BE PAID TO ESTATE: \$17,575.00, or amount  
sufficient for payoff of Chapter 13 proceeding.

Applicants are informed and believe that it would be in the  
best interest of the estate to sell said property by owners.  
Applicants also believe that the funds to be recovered for the  
estate from the sale of said property justify its sale and filing  
of this application.

The court may consider additional offers at any hearing held  
on this notice and application for sale. The court may order at  
any hearing that the property be sold to another party on  
equivalent or more favorable terms.

The trustee or debtor in possession, as applicable, may seek  
appropriate sanctions or other similar relief against any party  
filing spurious objection to this notice and application.

WHEREFORE, applicants requests the court issue an order

authorizing sale of said property and such other and further relief  
as may be proper.

DATE:

September 17, 2002

Michael W. Garner

Debbie J. Garner

Signature of Applicants

113 Chelsea Road  
Gilbert, SC 29054

E. Michael Carlton

E. Michael Carlton  
P. O. Box 441  
Lexington, South Carolina 29071  
(803) 359-5173  
District Court ID No: 54  
Attorney for Applicants